Attorney Docket No. 1148/015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Froup Art Unit 3626

PATENT APPLICATION

Examiner Natalie A. Pass

In re application of :

SYSTEM FOR MONITORING HEALTH,

WELLNESS AND FITNESS

TELLER ET AL

Serial No. 09/595,660

Filed June 16, 2000

INFORMATION DISCLOSURE STATEMENT

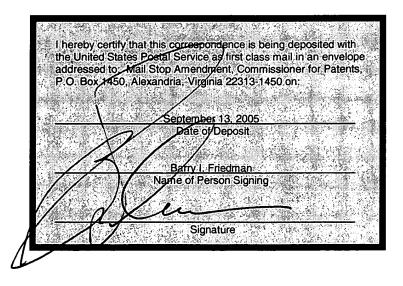
Pittsburgh, Pennsylvania 15222

September 13, 2005

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. §§1.51, 1.56, 1.97 and 1.98, the art identified on attached form PTO-1449 enclosed herewith is being cited in connection with the captioned application. The applicants hereby request the Examiner to review and make an independent evaluation of the art. By filing this Information Disclosure Statement, the applicants are not admitting that any reference actually qualifies as prior art, and applicants reserve the right to argue that any reference does not qualify as prior art should they deem it necessary to do so. Copies of the following references are provided:



180.00 00

09/19/2005 MAHMED1 00000001 09595660

Health Hero Network, Inc., PCT Publication No. 00/11578

Strategic Product Development, PCT Publication No. 00/26882

Health Hero Network, Inc., PCT Publication No. 00/32098

Medoc Ltd., PCT Publication No. 00/47108

Hadas, PCT Publication No. 00/51543

Stayhealth.com, PCT Publication No. 00/52604

Healthetech, Inc., PCT Publication No. 01/08554

Healthetech, Inc., PCT Publication No. 01/26535

Healthetech, Inc., PCT Publication No. 01/26547

Healthetech, Inc., PCT Publication No. 01/28416

Healthetech, Inc., PCT Publication No. 01/28495

Healthetech, Inc., PCT Publication No. 01/39089

Healthetech, Inc., PCT Publication No. 01/52718

Healthetech, Inc., PCT Publication No. 01/56454

Healthetech, Inc., PCT Publication No. 01/82783

Healthetech, Inc., PCT Publication No. 01/82789

Healthetech, Inc., PCT Publication No. 01/89365

Healthetech, Inc., PCT Publication No. 01/89368

University of Technology, Sydney, PCT Publication No. 02/69798

Noethe, German Patent No. DE19832361A1

Fidelak, German Patent No. DE19911766A1

Micro-Foil Heat Flux Sensors, RdF Corporation Catalog No. HFS-A, March 1998.

Industrial Micro-Foil Heat Flux Sensor, RdF Corporation Datasheet No. HFS-B, October 1995.

Industrial/Commercial Micro-Foil Heat Flux Sensor, RdF Corporation Catalog No. HFS-C, December 1999.

"A combined heart rate and movement sensor: proof of concept and preliminary testing study," K. Rennie, T. Rowsell, S.A. Jebb, D. Holburn & N.J. Wareham, 2000.

Enclosed is a check in the amount of \$180.00 for the fee to file this Information

Disclosure Statement. Should this amount be improper or insufficient, the Commissioner is hereby authorized to charge any additional amounts or credit any overpayment to our Deposit Account No. 50-0525.

Applicants believe that their SYSTEM FOR MONITORING HEALTH, WELLNESS

AND FITNESS as described and claimed in the present application is neither taught nor suggested by this art. Accordingly, applicants' invention is believed to be patentable over these references.

Respectfully submitted,

Barry I. Friedman, Esq., Reg. No. 33,695

-Metz Lewis LLC

11 Stanwix Street, 18th Floor Pittsburgh, Pennsylvania 15222

John A. Monocello, Esq., Reg. No. 51,022

BodyMedia, Inc.

4 Smithfield St., 11th Floor

Pittsburgh, Pennsylvania 15222

(412) 918-1100

•						ATTY DOCKET NO. 1148/015		SERIAL NO. 09/595,660				
OIPE		//	IATION DISCLOSURE Use several sheets if necess			Teller et al.						
% ``	- 14,	83 "				FILING June 16, 20		GROUP	3626			
SEP 1				U.f	S. PATENI	T DOCUMENTS						
EXAMINER INCHALLER	N. S.		DOCUMENT NUMBER	DATE		NAME	CLASS	SUBCLASS	FILING DAT			
	Ť_											
		T										
		\dagger										
·	+	\dagger						+				
	 	+		 	 		+	+				
	+-	+		 	-		+	-				
	 	+			<u> </u>			+	 			
	-	+						 	 			
	 	┼							 			
	 	igapha						 				
	<u> </u>	igspace			<u> </u>			<u> </u>	<u> </u>			
		<u> </u>						<u> </u>				
				FORE	IGN PATE	ENT DOCUMENTS						
		<u> </u>	DOCUMENT NUMBER	DATE		COUNTRY	CLASS	SUBCLASS	TRANSI YES	NO NO		
		00/	/47108	8/17/00	PCT							
		00/	/51543	9/8/00	PCT							
		00/	52604	3/6/00	PCT							
		01/	08554	2/2/00	PCT							
		01/	26535	10/10/00	PCT							
			OTHER DOCUME	NTS (Includin	ng Author	r, Title, Date, Pertinent	t Pages, Etc.))	<u></u>			
			Micro-Foil Heat Flux Sensors, RdF Corporation Catalog No. HFS-A, March 1998									
		Industrial Micro-Foil Heat Flux Sensor, RdF Corporation Datasheet No. HFS-B, October 1995.										
EXAMINER	R					DATE CONSIDERED						
'EXAMINE	R: Initi	al if re de co	eference considered, whethe py of this form with next corr	er or not citation is nmunication to app	in conform	ance with MPEP 609; Drav	w line through cit	ation if not in co	onformance	and not		

ı							1148/015			SERIAL NO. 09/595,660				
PE		//	ATION DISCLOSURE Use several sheets if necess			Teller et al.								
OPE	400	3			FILING June 16, 2000				GROUP 3626					
SEP 15	SEP 1 5 2005 g				S. PATENT	DOCUMEN	ITS							
EXAMINER MIAL	- ARCH	1	DOCUMENT NUMBER	CUMENT NUMBER DATE			NAME CLASS			FILING DATE IF APPROPRIATE				
HOA														
•														
•											•			
														
			·											
														
	<u> </u>			FORE	IIGN PATE	NT DOCUM	ENTS			<u></u>				
			DOCUMENT NUMBER	DATE		COUNTI	RY	CLASS	SUBCLASS	TRANS	LATION			
		01/	26547	10/12/00	PCT					1.25				
		01/	28416	9/25/00	РСТ						<u> </u>			
-		01/2	28495	10/10/00	PCT									
		01/3	39089	11/24/00	PCT				<u> </u>					
		01/:	52718	1/19/01	PCT									
	<u> </u>		OTHER DOCUME	NTS (Includin	g Author	, Title, Da	te, Pertinent F	Pages, Etc	D.)		L			
			Industrial/Commercial N	Micro-Foil Heat l	Flux Senso	or, RdF Coi	poration Catalo	ng No. HF	S-C, December	1999				
			"A combined heart rate Jebb, D. Holburn & N.J	and movement so Wareham, 2000	ensor: pro	of of concep	ot and prelimina	ry testing s	study," K. Renn	ie, T. Rows	sell, S.A.			
EXAMINE	₹					DATE CO	NSIDERED							
			ference considered, whethe by of this form with next con			ance with M	PEP 609; Draw li	ne through	citation if not in c	onformance	and not			

•						ATTY DOCKET NO. 1148/015		SERIAL NO. 09/595,660			
	INF		ATION DISCLOSUR Jse several sheets if nece			Teller et al.					
OIPI	E A			•		FILING June 16, 20		GROUP	3626		
SEP 1		3		U.s	S. PATENT	DOCUMENTS		· ·			
				DATE		NAME	CLASS	SUBCLASS	FILING DATE		
*EXAMINER NITIAL TRA	DEMA								IF APPROP	HIATE	
									<u> </u>		
									<u> </u> .		
										·	
								1			
					<u>. </u>					<u> </u>	
		<u> </u>			!						
								<u> </u>			
		_									
	J	<u> </u>	·	FORE	I IGN PATE	NT DOCUMENTS					
•			DOCUMENT NUMBER	DATE		COUNTRY	CLASS	SUBCLASS		LATION	
		01/5	56454	2/2/01	PCT				YES	NO	
		01/8	32783	4/30/01	PCT						
		01/8	32789	5/4/01	PCT						
		01/8	39365	5/24/01	PCT						
		01/8	39368	5/25/01	PCT						
	l		OTHER DOCUM	ENTS (Includin	g Author	, Title, Date, Pertinent	Pages, Etc.,)		<u> </u>	
				··· ·· ··							
								.=			
EXAMINER	3					DATE CONSIDERED					
*EXAMINE	R: Initi	al if ref	erence considered, wheth	er or not citation is	in conforma	ance with MPEP 609; Drav	v line through ci	ation if not in co	onformance	and not	
considered.	. Inclu	ae cop	y of this form with next co	mmunication to app	olicant.				****		

Form PTO-A820 (also form PTO-1449)

4 ; (ATTY DOCKET NO. SERIAL NO. 1148/015 09/595,660						
			ATION DISCLOSURE			Teller et al.						
OIPE		•	ise severai sileets II HECES	saiy)		FILING		GROUP				
/0.	4	<u> </u>				June 16, 200	00		3626			
SEP 1 F		(بير		U.S	S. PATENT	DOCUMENTS						
EXAMINER OTIAL	يم ا	W S	DOCUMENT NUMBER	DATE		NAME:	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE			
CZ TRA												
,												
		<u> </u>										
								<u> </u>		_		
		L		FORE	I IGN PATE	NT DOCUMENTS		!	<u> </u>			
			DOCUMENT NUMBER DATE			COUNTRY	CLASS	SUBCLASS	TRANSLATION			
,		02/6		9/12/02	PCT				YES	NO		
,		-	1578	3/2/00	PCT							
			26882	5/11/00	PCT							
		-		<u> </u>								
					PCT				-			
		DE	19832361A1	2/3/00	German	· · · · · · · · · · · · · · · · · · ·	t Pages Etc	1	l			
			OTHER DOCUME	INIDUINI) CIN	y Author	, Title, Date, Pertinent	rayes, ElC.	<i>'</i>				
									· <u>-</u>			
					•							
EXAMINE	EXAMINER					DATE CONSIDERED						
			erence considered, whether			ance with MPEP 609; Drav	v line through ci	tation if not in co	onformance	and not		
oonsideled.	. ITICIU	ae cop	y or this form with next col	ппиноаноп и ар	pnoatil.							

Form PTO-A820 (also form PTO-1449)

						ATTY DOCKET NO. 1148/01		SERIAL NO. 09/595,660				
		\ (U	ATION DISCLOSURE ise several sheets if neces			Teller et al.						
(Use several sheets if necessary)						FILING GROUP 3626						
(S. PATENT						DOCUMENTS				· ·		
E MINER INITIAL		Met &	DOCUMENT NUMBER	DATE		NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE			
,	TRADE											
,												
·												
			-									
										· · · · · · · · · · · · · · · · · · ·		
										**		
										•		
	<u></u>			FORE	IGN PATE	NT DOCUMENTS						
•	DOCUMENT NUMBER DATE				COUNTRY	CLASS	SUBCLASS	TRANS YES	LATION NO			
		DE1	19911766A1	9/28/00	German	ny						
									_			
			OTHER DOCUME	NTS (Includin	g Author	, Title, Date, Pertine	nt Pages, Etc.,)	•"			
							,					
EXAMINEF	?					DATE CONSIDERED						
*EXAMINE	R: Initia	I if refe de cop	erence considered, whether y of this form with next cor	er or not citation is mmunication to app	in conform plicant.	ance with MPEP 609; Dr	aw line through cit	tation if not in co	onformance	and not		

Form PTO-A820 (also form PTO-1449)